California Environmental Protection Agency
Department of Toxic Substances Control

HAZARDOUS WASTE FACILITY PERMIT

Permit Number: **06-GLN-12**

Facility Name:
Beckman Coulter, Inc.
P.O. Box 3100, MS F-11D
4300 Harbor Blvd
Fullerton, California 92634-3100

Owner Name:
Beckman Coulter, Inc.
P.O. Box 3100, MS F-11D
4300 Harbor Blvd
Fullerton, California 92634-3100

Operator Name:
Beckman Coulter, Inc.
P.O. Box 3100, MS F-11D
4300 Harbor Blvd
Fullerton, California 92634-3100

Facility EPA ID Number
CAD008254708

Effective Date of Permit
July 28, 2006

Expiration Date of Permit
July 27, 2016

Pursuant to Section 25200 of the California Health and Safety Code, this RCRA-equivalent Hazardous Waste Facility Permit is hereby issued to Beckman Coulter, Inc.

The Issuance of this Permit is subject to the conditions set forth in Attachment A and the Part "B" Application (Operation Plan) dated October 15, 2003. The Attachment A consists of 19 pages.

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Original signed by

Jose Kou, P.E., Chief
Southern California Permitting and Corrective Action Branch
Department of Toxic Substances Control

Date: June 23, 2006

Beckman Coulter, Inc.
P.O. Box 3100
4300 Harbor Blvd
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HAZARDOUS WASTE FACILITY PERMIT
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PART I. DEFINITIONS

All terms used in this Permit shall have the same meaning as those terms have in the California Health and Safety Code, Division 20, Chapter 6.5 and Title 22, California Code of Regulations, Division 4.5, unless expressly provided otherwise by this Permit.

1. **"DTSC"** as used in this Permit means the California Department of Toxic Substances Control.

2. **"Permittee"** as used in this Permit means the Owner and Operator.

3. **"HSC"** as used in this Permit means the Health and Safety Code.

4. **"CCR"** as used in this Permit means the California Code of Regulations.

5 "**Facility**" as used in the Permit means Beckman Coulter, located approximately 19 miles east south east of the City of Los Angeles, including units contained therein.

6. "**Storage or Storing"** as applicable to this permit means holding waste coolant in containers in Building 10 for more than 90 days, holding waste liquid scintillation cocktail and controls in containers in the mixed waste storage room for more than 90 days, holding waste coolant in the waste coolant tanks for more than 90 days or holding pseudocumene wastewater in the pseudocumene wastewater storage tank for more than 90 days.

7. Unless explicitly stated otherwise, all references to items in this Permit shall refer only to items occurring within the same part.

PART II. DESCRIPTION OF THE FACILITY AND OWNERSHIP

1. Owner

The facility owner is Beckman Coulter, Inc. (hereafter "Owner").

2. Operator

The facility operator is Beckman Coulter, Inc. (hereafter "Operator").

3. Location

The Beckman Coulter Facility is located in northern Orange County, California, approximately 19 miles east south east of the City of Los Angeles, near the intersection of Imperial Highway and Harbor Blvd. The following Orange County Assessor's parcel numbers describe the facility: 296-411-01 and 296-201-01.

4. DESCRIPTION

Beckman Coulter, Inc (Beckman) is an international supplier of medical diagnostic and scientific instruments. The company also manufactures the consumable supplies that are used with the instruments. These consumables include reagents, plastic parts, control and calibration standards and other parts and materials used on the instruments.

At the time that the first Part B permit application was submitted, the hardware manufacturing operation included a trichloroethane (TCA) degreaser. This degreaser was the source of the waste TCA that was stored in the waste TCA tank. This degreaser has been eliminated from the operation. The TCA tank is empty. It will be removed after the closure plan has been approved.

The chemical manufacturing operations produce the chemical reagents that are used on the instruments. The activities include chemical synthesis, purification, mixing and packaging. The types of hazardous wastes generated by these operations include pseudocumene wastewater (stored in a tank), solvents and solid materials containing solvents. With the exception of the wastewater, all of the wastes are accumulated in satellite areas and stored in containers prior to transportation off-site for third party treatment and disposal.

Small quantities of low level radioactive mixed waste are produced from Research & Development and from production of calibration standards

for the liquid scintillation counters. These wastes consist of liquid scintillation cocktail (LSC) and LSC standards. The mixed wastes are delisted as radioactive wastes under condition 24 of the facility's Radioactive Materials License (dated August 2, 1993). This condition is now condition 13 of the current license.

Only a small fraction of the hazardous wastes generated at the facility is either stored for more than 90 days or treated on-site by elementary neutralization. The majority of the hazardous wastes is managed in containers and removed from the facility in less than 90 days. Waste LSC is managed in containers and stored for more than 90 days. Waste coolant is managed in both containers and in tanks and is stored for more than 90 days. Pseudocumene wastewater is managed in a tank and stored for more than 90 days. Plating shop wastewater is treated in a tank system by elementary neutralization to meet the discharge requirements of the Orange County Sanitation District and then discharged to the municipal sewer.

5. FACILITY HISTORY

Beckman was issued an Interim Status Document (ISD) in 1982 by the Department of Health Services (DOHS), the predecessor of DTSC. The Final Hazardous Waste Facility Permit was issued on November 13, 1991. Beckman appealed the Permit on December 13, 1991. On July 15, 1994, a revised Permit was issued. The expiration date for that Permit was December 16, 1996.

6. FACILITY SIZE AND TYPE FOR FEES

The facility is categorized as a large treatment facility for purposes of HSC, Section 25205.19.

PART III. GENERAL CONDITIONS

1. PERMIT APPLICATION DOCUMENTS

(a) The Part "A" Application dated October 10, 2003 and the Part "B" Application (Operation Plan) October 10. 2003 are hereby made a part of this Permit by reference.

2. EFFECT OF PERMIT

(a) The Permittee shall comply with the provisions of the California Health and Safety Code, and Division 4.5 of Title 22, California Code of Regulations (Title 22, Cal. Code Regs.). The issuance of this Permit by DTSC does not release the Permittee from any

liability or duty imposed by federal or state statutes or regulations or local ordinances, except the obligation to obtain this Permit. The Permittee shall obtain the permits required by other governmental agencies, including but not limited to, the applicable land use planning, zoning, hazardous waste, air quality, water quality, and solid waste management laws for the construction and/or operation of the Facility.

(b) The Permittee is permitted to treat and store only on-site generated hazardous wastes in accordance with the conditions of this Permit. Any treatment or storage of hazardous wastes not specifically authorized or in a manner not specifically authorized in this Permit is strictly prohibited.

(c) Compliance with the terms of this Permit does not constitute a defense to any action brought under any other law governing protection of public health or the environment, including, but not limited to, one brought for any imminent and substantial endangerment to human health or the environment.

(d) DTSC's issuance of this Permit does not prevent DTSC from adopting or amending regulations that impose additional or more stringent requirements than those in existence at the time this Permit is issued and does not prevent the enforcement of these requirements against the Permittee.

(e) Failure to comply with any term or condition set forth in the Permit in the time or manner specified herein will subject the Permittee to possible enforcement action including but not limited to penalties pursuant to HSC Section 25187.

(f) In addition, failure to submit any information required in connection with the Permit, or falsification and/or misrepresentation of any submitted information, is grounds for revocation of this Permit (Title 22, Cal. Code of Regs., section 66270.43).

(g) In case of conflicts between the Operation Plan and the Permit, the Permit conditions take precedence.

(h) This Permit includes and incorporates by reference any conditions of waste discharge requirements issued by the State Water Resources Control Board or any of the California Regional Water Quality Control Boards and any conditions imposed pursuant to section 13227 of the Water Code.

3. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

A negative declaration has been prepared in accordance with the requirements of Public Resources Code Section 21000 et seq. and the CEQA Guidelines, Section 15070 et seq. of Title 14, California Code of Regulations.

4. WASTE MINIMIZATION CERTIFICATION

Pursuant to HSC, section 25202.9 the Permittee shall certify annually, by March 1 for the previous year ending December 31, that:

(a) The facility has a program in place to reduce the volume and toxicity of all hazardous wastes which are generated by the facility operations to the degree, determined by the Permittee, to be economically practicable.

(b) The method of storage or treatment is that practicable method currently available to the facility which minimizes the present and future threat to human health and the environment.

The Permittee shall make this certification, in accordance with Title 22, Cal. Code of Regs., section 66270.11. The Permittee shall submit the certification to Branch Chief, Southern California Permitting and Corrective Action Branch and shall record and maintain onsite such certification in the facility Operating Record.

5 WASTE MINIMIZATION CONDITIONS

(a) The Permittee shall comply with the Hazardous Waste Source Reduction and Management Review Act (SB 14) requirements that are specified in the HSC, sections 25244.19, 25244.20 and 25244.21, and any subsequent applicable statutes or regulations promulgated thereunder.

This includes submittal of SB 14 documents to DTSC upon request.

DTSC may require the Permittee to submit a more detailed status report explaining any deviation from, or changes to, the approved waste minimization plan.

PART IV. PERMITTED UNITS AND ACTIVITIES

This Permit authorizes operation only of the facility units and activities listed below. The Permittee shall not treat or store hazardous waste in any unit other than those specified in this Part IV. Any modifications to a unit or activity authorized by this Permit require the advance written approval of DTSC in accordance with the permit modification procedures set forth in Title 22, Cal. Code Regs., Division 4.5, Chapter 20

Units authorized by this Permit to manage hazardous waste are: (1) Building 10, Bay 1 Waste Storage Area, (2) Building 10, Bay 2 Waste Storage Area, (3) Mixed Waste Storage Area, (4) Waste Machining Coolant Storage Tanks, (5) Pseudocumene Waste Water Storage Tank, and (6) Neutralization Tank.

UNIT NAME:

Container Storage Area, Building 10, Bay 1

LOCATION:

The Container Storage Area, Building 10, Bay 1 is located in the northern end of Building 10.

ACTIVITY TYPE:

Storage in containers

ACTIVITY DESCRIPTION:

The Container Storage Area, Building 10, Bay, 1 stores hazardous waste liquid in 55 gallon drums. The maximum amount of waste that the Facility is authorized to store in this area is 8,580 gallons or 156 drums.

PHYSICAL DESCRIPTION:

The Container Storage Area, Building 10, Bay 1, is a secured space within a larger building. This unit measures 30 feet by 50 feet and provides secondary containment with a 3-inch tall berm. The overall room is equipped with a sprinkler system.

MAXIMUM CAPACITY:

The maximum permitted capacity of the Container Storage Area, Building 10, Bay 1 is 156-55 gallon containers or 8,580 gallons.

WASTE SOURCES:

Various on-site manufacturing processes.

WASTE TYPES:

Container Storage Area, Building 10, Bay 1 shall be used to store waste machining coolant, as specified in Part V.B of this permit.

RCRA HAZARDOUS WASTE CODES

Waste machining coolant is not a RCRA waste

CALIFORNIA WASTE CODES

The California waste code for waste machining coolant is 133.

UNIT NAME:

Container Storage Area, Building 10, Bay 2

LOCATION:

The Container Storage Area, Building 10, Bay 2, is located toward the northern end of Building 10.

ACTIVITY TYPE:

Storage in containers

ACTIVITY DESCRIPTION:

The Container Storage Area, Building 10, Bay, 2 shall be used to store hazardous waste liquid in 55 gallon drums. The maximum amount of waste that the Facility is authorized to store in this area is 4,620 gallons or 84 drums.

PHYSICAL DESCRIPTION:

The Container Storage Area, Building 10, Bay 2, is a secured space within a larger building. This unit measures 25 feet by 30 feet and provides secondary containment with a 3-inch tall berm. The overall room is equipped with a sprinkler system.

MAXIMUM CAPACITY:

The maximum permitted capacity of the Container Storage Area, Building 10, Bay 2, is 84-55 gallon drums or 4,620 gallons.

WASTE SOURCES:

Various on-site manufacturing processes.

WASTE TYPES:

Container Storage Area, Building 10, Bay 2 shall be used to store waste machining coolant, as specified in Part V.B of this permit.

RCRA HAZARDOUS WASTE CODES

Waste Machining Coolant is not a RCRA waste

CALIFORNIA WASTE CODES

The California waste code for waste machining coolant is 133.

UNIT NAME:

Mixed Waste Storage Area

LOCATION:

The Mixed Waste Storage Area is located in the south east corner of Building 6.

ACTIVITY TYPE:

Storage in containers

ACTIVITY DESCRIPTION:

The Mixed Waste Storage Area stores waste Liquid Scintilation Cocktail (LSC) in bulk and in vials. The waste LSC is contained in 20 gallon drums that are inside of 55 gallon drums. The space between the drums is filled with diatomaceous earth or vermiculite. The maximum amount of waste that can be stored in this area is 200 gallons (20 drums).

PHYSICAL DESCRIPTION:

The mixed waste storage room is a secured space within a larger room. This unit measures 8 feet by 11 feet and is separated from the remainder of the space by a gated chain link fence. The overall room size is 19 foot-8 inches by 10 foot-7 inches. The larger room provides secondary containment and is surrounded by an 1 ½ -inch tall berm. The overall room is equipped with a sprinkler system.

MAXIMUM CAPACITY:

The maximum permitted capacity of the mixed waste storage room is ten 20 gallon containers or 200 gallons. The 55 gallon containment drums are not to be considered as part of the maximum volume limit.

WASTE TYPES:

Mixed waste is waste LSC and control standards. LSC is a mixture of organic chemicals used on Liquid Scintillation Counters to measure the concentrations of tagged materials in samples.

RCRA HAZARDOUS WASTE CODES

The RCRA waste code for mixed waste is D001.

CALIFORNIA WASTE CODES

The California waste code for mixed waste is 551.

UNIT NAME:

Waste Machining Coolant Storage Tanks

LOCATION:

The Waste Machining Coolant Storage Tanks are located east of Building 6.

ACTIVITY TYPE:

Storage in tanks

ACTIVITY DESCRIPTION:

The Waste Machining Coolant Storage Tanks store waste machining coolant. The waste machining coolant is contained in two 550 gallon cross linked high density polyethylene tanks that are double walled. The maximum amount of waste that can be stored in this area is 1,100 gallons.

PHYSICAL DESCRIPTION:

The Waste Machining Coolant Storage Tanks are located due east of Building 6. The tanks are set on steel platforms that are on a 6 foot by 19.5 foot poured concrete containment pad which is surrounded by a 16.5-inch tall poured concrete wall.

MAXIMUM CAPACITY:

The maximum permitted capacity of the Waste Machining Coolant Storage Tanks is 1,100 gallons.

WASTE TYPES:

Waste Machining Coolant is an un-reclaimable solution of water soluble oil and water used to cool the tooling during the various machining processes.

RCRA HAZARDOUS WASTE CODES

Waste Machining Coolant is not a RCRA waste.

CALIFORNIA WASTE CODE

The California waste code for Waste Machining Coolant is 133.

UNIT NAME:

Pseudocumene Wastewater Storage Tank

LOCATION:

The Pseudocumene Wastewater Storage Tank is located in between Building 11 and Building 10.

ACTIVITY TYPE:

Storage in tank.

ACTIVITY DESCRIPTION:

Pseudocumene wastewater consists of wash water from the mix tanks used to formulate liquid scintillation cocktail. Liquid scintillation cocktail is a mixture of organic chemicals used on liquid scintillation counters to measure the concentrations of chemicals tagged with a radioisotope in a sample. The wastewater is greater than 90% water with the balance of the wastewater being the organic chemicals that are used to manufacture the liquid scintillation cocktail. The pseudocumene wastewater is contained in a 2,000 gallon tank.

PHYSICAL DESCRIPTION:

The Pseudocumene Wastewater Storage Tank is a horizontal dual-walled tank. The inner tank is 11 feet long with a diameter of 5 feet-7 inches. The outer tank is 11 feet- 6 inches long with a diameter of 6 feet. The tank material is mild steel.

MAXIMUM CAPACITY:

The maximum permitted capacity of the Pseudocumene Wastewater Storage Tank is 2,000 gallons.

WASTE TYPES:

The wastewater stored in this tank is an aqueous solution containing 10 percent or less miscellaneous organic chemicals.

RCRA HAZARDOUS WASTE CODES

The pseudocumene wastewater is not a RCRA hazardous waste.

CALIFORNIA WASTE CODE

The California waste code for pseudocumene wastewater is 134.

UNIT NAME:

Plating Shop Neutralization System.

LOCATION:

The Plating Shop Neutralization System is located just east of the northeast corner of Building 6.

ACTIVITY TYPE:

Treatment in tanks.

ACTIVITY DESCRIPTION:

The Plating Shop Neutralization System treats rinse waters from the rinse tanks of various in-plant plating operations. The system consists of three separate chambers. Treatment is accomplished by the addition of sodium hydroxide solution in order to increase the pH to a value that is within the Orange County Sanitation Industrial Water permit limits. Operation of the unit is required by the Orange County Sanitation District.

PHYSICAL DESCRIPTION:

The Plating Shop Neutralization System is a dual walled horizontal tank. The outer tank surrounds the inner tank and is 145 ½ inches long by 96 ¾ inches deep by 43 ¾ inches wide. The inner tank is 139 ¼ inches long by 95 ¾ inches deep by 37 ¾ inches wide and is divided into three chambers. The Plating Shop Neutralization System is contained in a pit that has 4 inch thick concrete sides.

MAXIMUM CAPACITY:

The maximum permitted throughput capacity is 50,000 gallons per day.

WASTE RESOURCES:

The Plating Shop Neutralization System treats rinse waters from the rinse tanks of various in-plant plating operations.

WASTE TYPES:

Various acidic plating rinse waters.

RCRA HAZARDOUS WASTE CODES

D002 with a pH less than or equal to 2.

PART V - SPECIAL CONDITIONS

A. The Permittee shall submit to the DTSC revised partial closure plans for the closure of the inactive Drum Storage Area #8 and closure of the inactive trichloroethane (TCA) tanks. This submittal shall be within 60 days of the effective date of this permit and shall include soil and soil gas sampling beneath the containment areas.

B. The Permittee is authorized to store waste codes other than those specified in Part IV of this Permit in Building 10, Bay 1 and in Building 10, Bay 2 for 90 days or less. The storage requirements of Title 22 Division 4.5, Chapter 14, Article 9 shall only apply to the waste coolants that are stored in Building 10, Bay 1 and 2. For those wastes stored for 90 days or less in Building 10, Bay 1 and 2, the generator requirements of Title 22, Division 4.5 Chapter 12, Article 3 shall apply as long as the facility does not exceed the maximum permitted capacity of Bay 1(156-55 gallon or 8580 gallons in aggregate) and Bay 2 (84-55 gallon or 4,620 gallons in aggregate) at any given time. The facility is also required to segregate the wastes stored more than 90 days from the wastes stored for 90 days or less in each Bay 1 and 2.

PART VI - CORRECTIVE ACTION

A. Existing Contamination

As a result of finding pseudocume in the soil adjacent to Bldg. 10 in August of 1994, Beckman began a RCRA Facility Investigation (RFI) in September of 1994. Beckman has performed characterization with DTSC oversight and voluntary investigation since the beginning of the RFI. Numerous soil samples and soil gas analyses were made and the pseudocume was characterized as being confined by a five foot thick clay layer starting at approximately 22 feet below ground surface (bgs). To be totally protective of ground water, a monitoring well was drilled with conductor casing in January of 2004 through the perched contamination to a depth of 77 feet bgs. After development of the monitoring well, three separate ground water samples were taken, approximately one month apart, and laboratory analysis resulted in non-detection of groundwater contamination..

Within 60 days of the effective date of this Permit, the Permittee shall submit a Corrective Action Work Plan to address removal of the above contamination. The Work Plan shall include a schedule for the removal, the estimated volume of material to be removed, the proposed transportation routes for the removal, the dust and emission reduction measures, and the number and testing methods for confirmation of removal of the contamination.

B. Future Corrective Action

1. In the event the Permittee identifies an immediate or potential threat to human health and/or the environment, discovers new releases of hazardous waste and/or hazardous constituents, or discovers new Solid Waste Management Units (SWMUs) not previously identified, the Permittee shall notify DTSC orally within 24 hours of discovery and notify DTSC in writing within 10 days of such discovery summarizing the findings including the immediacy and magnitude of any potential threat to human health and/or the environment.

2. DTSC may require the Permittee to investigate, mitigate and/or take other applicable action to address any immediate or potential threats to human health and/or the environment and newly identified releases of hazardous waste and/or hazardous constituents. For newly identified SWMUs, the Permittee is required to conduct corrective action. Corrective action will be carried out either under the Corrective Action Consent Agreement or Unilateral Corrective Action Order pursuant to Health and Safety Code, Section 25187.

C. DEFINITIONS

For purposes of this Corrective Action, the following definitions shall apply:

"Facility" means all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA.

"Release" means any spilling, leaking, pouring, emitting, emptying, discharging, injecting, pumping, escaping, leaching, dumping, or disposing of hazardous wastes (including hazardous constituents) into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles containing hazardous wastes or hazardous constituents).

"Solid waste management unit" means any discernible unit at which solid wastes have been placed at any time, irrespective of whether the unit was intended for the management of solid or hazardous waste. Such units include any area at a facility at which solid wastes have been routinely and systematically released.

"Hazardous waste" means a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored,

transported, or disposed of, or otherwise managed. The term hazardous waste includes hazardous constituent as defined below.

"Hazardous constituent" means any constituent identified in Appendix VIII of 40 CFR Part 261, or any constituent identified in Appendix IX of 40 CFR Part 264.

D. STANDARD CONDITIONS

I. Section 3004(u) of RCRA, as amended by HSWA, and 40 CFR 264. 101 require that permits issued after November 8, 1984, address corrective action for releases of hazardous wastes including hazardous constituents from any solid waste management unit SWMU) at the facility, regardless of when the waste was placed in the unit.

2. Failure to submit the information required in this Corrective Action, or falsification of any submitted information, is grounds for termination of this Permit (CCR 66383). The owner or operator shall ensure that all plans, reports, notifications, and other submissions to the DTSC required in this Corrective Action signed and certified in accordance with CCR 66373. Two (2) copies of these plans, reports. notifications or other submissions shall be submitted to the DTSC and sent by certified mail or hand delivered to:

Branch Chief
Southern California Permitting
And Corrective Action Branch
Department of Toxic Substances Control
1011 N. Grandview Avenue
Glendale, CA 91201

3. All plans and schedules required by the conditions of this Corrective Action are, upon approval of the DTSC, incorporated into this Corrective Action by reference and become an enforceable part of this Permit. Any noncompliance with such approved plans and schedules shall be termed noncompliance with this Permit. Extensions of the due dates for submittals may be granted by the DTSC in accordance with the permit modification processes under CCR 66382.

4. If the DTSC determines that further actions beyond those provided in this Corrective Action, or changes to that which is stated herein, are warranted, the DTSC shall modify the Corrective Action either according to procedures in Permit Condition VI.B.2 of this Permit, or according to the permit modification processes under CCR 66382.

5. All raw data, such as laboratory reports, drilling logs, bench-scale or pilot-scale data, and other supporting information gathered or generated during activities undertaken pursuant to this Corrective Action shall be maintained at the facility during the term of this Permit, including any reissued Permits.

D. REPORTING REQUIREMENTS

1. The owner or operator shall submit to the DTSC signed quarterly progress reports of all activities conducted pursuant to the provisions of this Corrective Action beginning no later than ninety (90) calendar days after the owner or operator is first required to begin implementation of any requirement herein. These reports shall contain:

   a. A description of the work completed;

   b. Summaries of all findings, including summaries of laboratory data.

   C. Summaries of all problems or potential problems encountered during the reporting period and actions taken to rectify problems; and

   d. Projected work for the next reporting period.

2. Copies of other reports (e.g., daily reports, inspection reports), drilling logs and laboratory data shall be made available to the DTSC upon request.

3. As specified under Permit Condition VI.C.4, the DTSC may require the owner or operator to conduct new or more extensive assessments, investigations, or studies, as needed, based on information provided in these progress reports or other supporting information.

E. NOTIFICATION REQUIREMENTS FOR AND ASSESSMENT OF NEWLY-IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S)

1. The owner or operator shall notify the DTSC in writing of any newly-identified SWMU(s) not specifically identified during the RFA discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, no later than fifteen (15) calendar days after discovery.

2. After such notification. the DTSC may request, in writing, that the owner or operator prepare a Solid Waste Management Unit

(SWMU) Assessment Plan and a proposed schedule of implementation and completion of the Plan for any additional SWMU(s) discovered subsequent to the issuance of this Permit.

3. Within ninety (90) calendar days after receipt of the DTSC's request for a SWMU Assessment Plan, the owner or operator shall prepare a SWMU Assessment Plan for determining past and present operations at the unit, as well as any sampling and analysis of ground water, land surface and subsurface strata, surface water or air, as necessary to determine whether a release of hazardous waste including hazardous constituents from such unit(s) has occurred, is likely to have occurred, or is likely to occur. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste including hazardous constituents from the newly discovered SWMU(s) to the environment.

4. After the owner or operator submits the SWMU Assessment Plan, the DTSC shall either approve or disapprove the Plan in writing.

   If the DTSC approves the Plan, the owner or operator shall begin to implement the Plan within fifteen (15) calendar days of receiving such written notification.

   If the DTSC disapproves the Plan, the DTSC shall either (1) notify the owner or operator in writing of the Plan's deficiencies and specify a due date for submittal of a revised Plan, or (2) revise the Plan and notify the owner or operator of the revisions. This DTSC revised Plan becomes the approved SWMU Assessment Plan. The owner or operator shall implement the Plan within fifteen (15) calendar days of receiving written approval.

5. The owner or operator shall submit a SWMU Assessment Report to the DTSC no later than sixty (60) calendar days from completion of the work specified in the approved SWMU Assessment Plan. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan. At a minimum, the Report shall provide the following information for each newly identified SWMU:

   a. The location of the newly - identified SWMU in relation to other SWMUs;

   b. The type and function of the unit;

   c. The general dimensions, capacities, and structural description of the unit (supply any available drawings);

d. The period during which the unit was operated;

e. The specifics on all wastes that have been or are being managed at the SWMU, to the extent available; and

f. The results of any sampling and analysis required for the purpose of determining whether releases of hazardous wastes including hazardous constituents have occurred, are occurring, or are likely to occur from the unit.

6. Based on the results of this Report, the DTSC shall determine the need for further investigations at specific unit(s) covered in the SWMU Assessment. If the DTSC determines that such investigations are needed, the DTSC may require the owner or operator to prepare a plan for such investigations. This plan will be reviewed for approval as part of the RFI Workplan under Permit Condition VI.E.6. of this Corrective Action.

7. The owner or operator shall ensure that the RFI Plans submitted to the DTSC are designed according to the applicable guidelines and performance standards.

F. NOTIFICATION REQUIREMENTS FOR NEWLY-DISCOVERED RELEASES AT SWMUS

The owner or operator shall notify the DTSC, in writing, of any release(s) of hazardous waste including hazardous constituents discovered during the course of ground-water monitoring, field investigation, environmental auditing, or other activities undertaken after the commencement of the RFI, no later than fifteen (15) calendar days after discovery. Such newly-discovered releases may be from newly-identified units, from units for which, based on the findings of the RFA, the DTSC had previously determined that no further investigation was necessary, or from units investigated as part of the RFI. The DTSC may require further investigation of the newly-identified release(s). A plan for such investigation will be reviewed for approval as part of the RFI Workplan under Permit Condition. VI.E.6.